

REMARKS

Claims 1-7, 12, 14, and 16-39 are pending. Claims 1, 12, 14, and 37-39 have been amended. No new matter has been introduced. Reexamination and reconsideration of this application are respectfully requested.

In the March 31, 2008 Office Action, the Examiner rejected claims 1-7, 12, 14, 16-27, and 31-39 under 35 U.S.C. § 103(a) as being unpatentable over Okumura et al., U.S. Patent No. 5,444,687 (hereinafter Okumura) in view of Kuwabara et al., U.S. Patent No. 5,668,589 (hereinafter Kuwabara). The Examiner cited Okumura and Maeda et al., U.S. Patent No. 5,768,245 (hereinafter Maeda) in rejecting claims 28-30. The Applicant speculates that the Maeda reference may have been included by mistake, and that the Examiner instead meant the Kuwabara reference. In any event, the Applicant respectfully traverses the rejections in view of the claims as amended.

Independent claim 1, as amended recites:

An optical disc recording apparatus for forming by a laser beam of substantially constant power an image on an optical disc, which includes a recording face for recording data and a label face for forming an image disposed on an opposite side of the recording face, address information specifying an irradiation radial position, the address information being included in the recording data and wherein no address information is recorded on the label face, the apparatus comprising:

an optical pickup which applies the laser beam of substantially constant power to the optical disc to form the image, wherein when the optical pickup is opposed to the recording face, the optical pickup records the data on the recording face, and when the optical pickup is opposed to the label face, the optical pickup forms the image on the label face;

a rotating section which rotates the optical disc at a substantially constant speed;

a feeding section which moves the optical pickup by a movement distance in a radial direction of the optical disc;

a detecting section which detects a radial position of the optical pickup with respect to the optical disc; and

a movement distance controlling section which changes the movement

distance set by the feeding section in accordance with the radial position of the optical pickup detected by the detecting section when forming the image on the label face,

wherein the optical pickup, the rotating section, the feeding section and the detecting section are used for both data recording on the recording face and image forming on the label face.

The Okumura reference does not disclose, teach, or suggest the apparatus specified in independent claim 1. Unlike the apparatus specified in independent claim 1, Okumura does not teach “*an optical pickup which applies the laser beam of substantially constant power to the optical disc to form the image, wherein when the optical pickup is opposed to the recording face, the optical pickup records the data on the recording face, and when the optical pickup is opposed to the label face, the optical pickup forms the image on the label face.*”

As discussed in previous responses, Okumura discloses an optical disc recording method and apparatus for reproducing data in a disc or recording data in the disc. In particular, Okumura enables the apparatus to reproduce data in the disc which has been recorded under constant linear velocity (CLV) and to record data in the disc in a format for CLV while the disc is rotated under constant angular velocity (CAV). However, Okumura fails to teach or suggest an optical disc recording apparatus for forming an image on an optical disc by a laser beam which includes “*an optical pickup which applies the laser beam of substantially constant power to the optical disc to form the image, wherein when the optical pickup is opposed to the recording face, the optical pickup records the data on the recording face, and when the optical pickup is opposed to the label face, the optical pickup forms the image on the label face.*” Accordingly, Applicant respectfully submits that independent claim 1 distinguishes over Okumura.

The Kuwabara reference does not make up for the deficiencies of Okumura. The Kuwabara reference also fails to disclose, teach, or suggest an optical disc recording apparatus

for forming an image on an optical disc by a laser beam which includes “*an optical pickup which applies the laser beam of substantially constant power to the optical disc to form the image, wherein when the optical pickup is opposed to the recording face, the optical pickup records the data on the recording face, and when the optical pickup is opposed to the label face, the optical pickup forms the image on the label face.*”

The Examiner states that “Kuwabara et al. discloses an optical disc recording apparatus for forming an image on an optical disc by a laser beam, comprising: an optical pickup which applies a laser beam of substantially constant power to the optical disc to form the image (see col. 2, lines 30-40, 43-54, and Fig. 7).” However, Kuwabara does not disclose, teach, or suggest an optical disc recording apparatus. Kuwabara states that “[t]he thermosensitive recording medium S is a thermosensitive recording medium which comprises a coloring agent, a color developer, and a light absorbing dye on a support and which produces a color of a density which is commensurate with the level of a thermal energy applied thereto.” (Kuwabara, 4:31-36) As such, the Applicant respectfully suggests that the Examiner may have misinterpreted the Kuwabara reference.

Although Kuwabara discloses in the “Background of the Invention” the application of a laser beam of constant power level, this characteristic is less than optimal as Kuwabara also discloses that when humidity varies, the sensitivity of the thermosensitive recording medium varies, which makes it difficult to record a desired gradation image. (Kuwabara, 2:30-40) In contrast to the present invention, Kuwabara teaches away from the laser beam of a constant power level in the “Summary of the Invention.” Kuwabara discloses “a controller for correcting the intensity of the laser beam emitted by the laser beam applying mechanism based on the temperature detected by the temperature detecting mechanism.” (Kuwabara, 2:67 thru 3:1-3)

Accordingly, Applicant respectfully submits that independent claim 1 distinguishes over the combination of Okumura and Kuwabara.

The Applicant addresses the rejection under Maeda, although the Applicant respectfully believes that the rejection to Maeda was previously traversed. The Maeda reference does not make up for the deficiencies of Okumura and Kuwabara. Maeda is directed to an optical disk apparatus for recording marks on the same conditions from the inner peripheral portion to the outer peripheral portion of the optical disk. (*Maeda, 1:5-10*) Maeda discloses that when data is to be recorded in the disc, the track should be constant. (*Maeda, 7:16-30*) However, the combination of the Okumura, Kuwabara, and Maeda does not disclose, teach, or suggest an optical disc recording apparatus for forming an image on an optical disc by a laser beam which includes “*an optical pickup which applies the laser beam of substantially constant power to the optical disc to form the image, wherein when the optical pickup is opposed to the recording face, the optical pickup records the data on the recording face, and when the optical pickup is opposed to the label face, the optical pickup forms the image on the label face.*” Accordingly, Applicant respectfully submits that independent claim 1 distinguishes over the combination of Okumura, Kuwabara, and Maeda.

Independent claims 12, 14, and 37-39 recite limitations similar to claim 1. Accordingly, Applicant respectfully submits that independent claims 12, 14, and 37-39 distinguish over Okumura in combination with Kuwabara and Maeda for reasons similar to those set forth above with respect to independent claim 1.

Claims 2-7, 28, 31 and 34 depend from independent claim 1, as amended. Claims 16-21, 29, 32, 35 and 36 depend from independent claim 12, as amended. Claims 22-27, 30, and 33 depend from independent claim 14, as amended. Accordingly, Applicant respectfully submits

that claims 2-7, 16-27, and 29-36 distinguish over Okumura in combination with Kuwabara and Maeda for the same reasons set forth above with respect to independent claims 1, 12, 14, and 37-39, respectively.

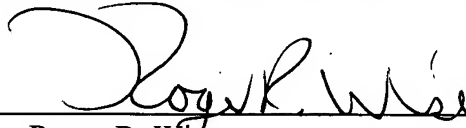
Applicant believes that the claims are in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

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By: _____



Roger R. Wise
Registration No. 31,204
Attorney for Applicant

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033